

REMARKS

Applicant respectfully requests reconsideration and allowance of the subject application in view of the foregoing amendments and the following remarks.

Claims 1-12 and 28-40 were pending in the application, with claims 1, 28, and 35 being independent. Applicant cancels previously withdrawn claims 13-27 without prejudice, waiver, or disclaimer of the subject matter. Applicant amends claims 1-4, 6-8, 28-36, 39, and 40 to further clarify features of the claimed subject matter. The original specification and drawings support these claim amendments at least in paragraphs 0008, 0030, 0042, and 0153. These revisions introduce no new matter.

Allowable Subject Matter

Claims 1-12 and 35-40 are objected to because of minor informalities, but would be allowable if rewritten or amended to overcome the objections. Applicant thanks the Examiner for indicating that these claims are allowable if rewritten to overcome the objections. Applicant appreciates the Examiner's assistance in advancing prosecution of the application.

Claim Objections

Claims 1-12 and 35-40 are objected to because of minor informalities.

Applicant amends claims 1-4, 6-8, 35, 36, 39, and 40 to correct the minor informalities. Accordingly, and as agreed during the interview, Applicant respectfully requests withdrawal of the claim objections.

For the reasons discussed above in the section entitled "Allowable Subject Matter," Applicant believes claims 1-12 and 35-40 to be in condition for allowance.

Claim Rejections 35 U.S.C. §101

Claims 28-34 stand rejected under 35 U.S.C. §101 as being allegedly directed to non-statutory subject matter. Applicant respectfully traverses the rejection.

Nevertheless, without conceding the propriety of the stated rejections, and only to advance the prosecution of this application, Applicant amends claim 28.

Independent claim 28 recites a method for a scheduling scheme to facilitate the distributed sending of media data, the method implemented on a computing device by a processor configured to execute instructions that, when executed by the processor, direct the computing device to perform acts comprising:

dividing, by a scheduler of the computing device, a plurality of media data blocks of a media data stream into three regions comprising a current region, an alternative send request region, and a look-ahead region;

reserving, by the scheduler of the computing device, the media data blocks, wherein the reserving comprises looking ahead along the media data stream to reserve the media data blocks for subsequent sending to clients; and

sending, by a sender of the computing device, the media data blocks, wherein the sending comprises locking the media data blocks responsive to the reserving until after the locked media data blocks have been sent to the clients.

As agreed during the interview, Applicant's independent claim 28 as amended recites a statutory method. Accordingly, Applicant respectfully requests withdrawal of the §101 rejection.

Applicant amends **dependent claims 29-34** along the lines of independent claim 28. As agreed during the interview, Applicant's dependent claims 29-34 also recite statutory methods. Accordingly, Applicant respectfully requests withdrawal of the §101 rejections.

Applicant respectfully submits that claims 28-34 are in condition for allowance.

Conclusion

For at least the foregoing reasons, claims 1-12 and 28-40 are in condition for allowance. Applicant respectfully requests reconsideration and withdrawal of the objections and rejections and an early notice of allowance.

If any issue remains unresolved that would prevent allowance of this case, Applicant requests that the Examiner contact the undersigned attorney to resolve the issue.

Respectfully Submitted,
Lee & Hayes, PLLC

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